

# Report on the Progress Towards Identifying and Implementing an Accreditation Process for the Blood Alcohol Testing and Screening Program

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In compliance with provision of H. 264 of the 2011 General  
Assembly

Effective Date: January 3, 2014



**Vermont Department of Public Safety  
Vermont Forensic Laboratory**

**Progress on Identifying and Implementing an accredited program for blood alcohol testing and alcohol screening and transfer from the Department of Health to the Vermont Forensic Laboratory**

The 2011 Vermont General Assembly transferred the Blood/Breath Alcohol Testing Program from the Department of Health to the Department of Public Safety.

Sec. 20 (H.264) BLOOD AND ALCOHOL TESTING AND ALCOHOL SCREENING DEVICES;  
AUTHORITY OF DEPARTMENT OF PUBLIC SAFETY; RULEMAKING

(D) Notwithstanding any other provision of law, on March 1, 2012, or on the effective date of the rules required to be adopted by subsection (a) of this section, whichever is earlier, the department of public safety shall assume the authority transferred to it by this act over the blood and breath alcohol testing and alcohol screening program.

The VFL established the necessary components of this program by March 1, 2012. At that time processes and procedural manuals were implemented that addressed the current needs of the field. The program has been in successful operation at the Vermont Forensic Laboratory for nearly two years with declining challenges throughout that time. In the first year of the program 449 blood alcohol results were reported and 323 relation back affidavits were provided. In 2013 through November, 647 blood alcohol results were reported and 479 relation back affidavits were provided. This is a substantial increase based on information provided by Department of Health on alcohol sample submissions referenced in the analysis provided in preparation for the program. In that document alcohol submissions for 2008 through 2011 averaged 156 per year.

Two positions were transferred from the Department of Health to the Department of Public Safety. One, an electronics position to maintain the Datamaster instruments, another a chemist qualified to analyze and testify to alcohol results. The Blood and Breath Alcohol program of the Vermont Forensic laboratory is supervised by Trisha Conti, PhD. A second chemist was hired and is now fully trained to analyze blood alcohol samples and testify to the results.

During 2013 the administrative rules were successfully amended to reflect the program change. The staff continued to refine procedures to meet the more stringent requirements of ISO standards in the forensic laboratory. This includes development of best practices regarding measurement uncertainty and training staff to meet those requirements.

To meet the increased documentation of quality assurance and traceability for ISO standards, vendors have been identified and contracted to supply critical reagents and provide instrument

maintenance who are also ISO compliant. Methods are in development to determine uncertainty of measurement to incorporate that value into the reported results.

Progress to date:

Policies and procedures have been developed and implemented which have allowed the program to function smoothly since March 1, 2012. The court challenges have fallen off dramatically while the number of analyses provided has increased.

Amended rules were adopted that reflect the current status of the program.

The alcohol program is in the process of developing further quality assurance measures to meet ISO 17025 standards.

The documentation for the blood alcohol program will be submitted with the documentation of the entire lab in spring 2014 for accreditation.

That accreditation review will occur in late 2014. Upon successful completion of that assessment, the blood alcohol program will be accredited along with the laboratory.

Prepared by Margaret Schwartz, Director, Vermont Forensic Lab